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10/802,661	03/17/2004	Robert Dant	14645.01	2661

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EXAMINER
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RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
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2167

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/802,661

Applicant(s)

DANT, ROBERT

Examiner

Susan F. Rayyan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 9/4/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 32-45 and 50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31, 46-49 and 51-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/20/04, 6/3/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Group I in the reply filed on September 4, 2007 is acknowledged. The traversal is on the ground(s) that the restriction requirement does not satisfy the requirement of the MPEP 806.05 (d) of non-overlapping scope and there is no burden on the Examiner to search all claims together. This is not found persuasive because Group I limitations include an identification system to provide a database identification to a first and second database system not found in Group II and Group III. Group II limitations include a sync application not found in Group I and Group II. Group III limitations include an identification application to apply a unique id to a record in a database not found in Group I and Group II. Because groups I, II, and III would require a separate search, a serious burden would be placed on the Examiner to search all the claims in the application.

**The requirement is still deemed proper and is therefore made FINAL.**

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

the claimed invention is directed to non-statutory subject matter.

Regarding claims 1-31, 46-49, 51-58, the claims directed to software per say. Claims lack physical hardware.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-31, 46-49, 51-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants Admissions ("Dant") and WO 93/23817 issued to Timothy Shear.**

**As per claim 1** Dant teaches A database communication network (Figure 1, prior art) comprising:

a first database system (figure 1, ref.no, 10 (first application system) and ref.no. 18 (first database);

a second database system in communication with the first database system (figure 1, ref.no. 34(second application system) and ref. No. 42 (second database) and ref.no. 22, messaging system).

Applicant does not explicitly teach an identification system in communication with each of the first and second database systems, the identification system configured to provide a database identification to each of the first and second database systems.

Shear does teach an identification system in communication with each of the first and second database systems (page 6, lines 12-28, computer system 12 and computer system 14 and message between computer system 12,14) , the identification system configured to provide a database identification to each of the first and second database

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systems (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the Applicants admissions with Shear to effectively communicate between two disparate computer systems as described by Shear (page 9, lines 11-12).

**As per claim 2** same as claim arguments above and Shear teaches:

wherein the database identification is a first unique database identification associated with the first database system and a second unique database identification associated with the second database system (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 3** same as claim arguments above and Shear teaches:

wherein the first and second unique database identifications result in unique identification for each record in the communication network (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

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**As per claim 4** same as claim arguments above and Shear teaches:

wherein the first database system comprises: a first database; and a first server configured to receive first information from the first database and transmit the first information out of the first database system (page 9, line 2, as server 22).

**As per claim 5** same as claim arguments above and Shear teaches:

wherein the first server comprises a first communication component configured to identify a database system in communication with the first database system to receive the first information (page 9, line 2, as server 22).

**As per claim 6** same as claim arguments above and Shear teaches:

wherein the first server comprises a first translation component configured to translate the first information into a format compatible with any database system in communication with the first database system (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 7** same as claim arguments above and hear teaches:

wherein the first translation component comprises:  
a first dictionary component comprising format information for any database system in communication with the first database system (page 1, lines 18, dictionary) and

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a first translator component configured to utilize format information from the first dictionary component to translate the first information into a format compatible with any database system in communication with the first database system (page , 3, lines page 6, lines 17-20, transform message from a first format to a second format and page 9, lines 1-12, translator system receives message from fist computer system and converts to a format for second computer system to communicate message).

As per claim 8 same as claim arguments above and Shear teaches:

comprising a first matching component in communication with the first database, the first matching component configured to receive information regarding an expected first transaction and compare the information regarding the expected first transaction with information regarding an actual first transaction at the first database (archiving system, figure2).

**As per claim 9** same as claim arguments above and Shear teaches:

wherein the first matching component is further configured to cause a first matching notification to be transmitted out of the first database system if the information regarding the expected first transaction matches the information regarding the actual first transaction (archiving system, figure2).

**As per claim 10** same as claim arguments above and Shear teaches:

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wherein the first matching component is further configured to cause a first non-matching notification to be transmitted out of the first database system if the information regarding the expected first transaction does not match the information regarding the actual first transaction (archiving system, figure2).

**As per claim 11** same as claim arguments above and Dant teaches:

wherein the second database system comprises: a second database (Figure 1, ref.no. 34, (second application system), ref.no.42, (second database).

And a second server configured to receive second information from the second database and transmit the second information out of the second database system (Figure2, ref.no. 66 (web service)).

**As per claim 12** same as claim arguments above and Dant teaches:

wherein the second server comprises a second communication component configured to identify a database system in communication with the second database system to receive the second information (Figure2, ref.no. 66 (web service)).

**As per claim 13** same as claim arguments above and Shear teaches:

wherein the second server comprises a second translation component configured to translate the second information into a format compatible with any database system in



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communication with the second database system (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 14** same as claim arguments above and Shear teaches:

wherein the second translation component comprises:

a second dictionary component comprising format information for any database system in communication with the second database system (page 1, lines 18, dictionary); and  
a second translator component configured to utilize format information from the second dictionary component to translate the second information into a format compatible with any database system in communication with the second database system (page 3, lines page 6, lines 17-20, transform message from a first format to a second format and page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 15** same as claim arguments above and Shear teaches:

further comprising a second matching component in communication with the second database, the second matching component configured to receive information regarding an expected second transaction and compare the information regarding the expected second transaction with information regarding an actual second transaction received at

the second database (archiving system, figure2).

**As per claim 16** same as claim arguments above and Shear teaches:

wherein the second matching component is further configured to cause a second matching notification to be transmitted out of the second database system if the information regarding the expected second transaction matches the information regarding the actual second transaction (communication server figure 2).

**As per claim 17** same as claim arguments above and Shear teaches:

wherein the second matching component is further configured to cause a second non-matching notification to be transmitted out of the second database system if the information regarding the expected second transaction does not match the information regarding the actual second transaction (communication server figure 2)..

**As per claim 18** same as claim arguments above and Dant teaches:

first external system in communication with the first database system (Figure1).

**As per claim 19** same as claim arguments above and Dant teaches:

wherein the first database system further comprises a first connection component in communication with the first database and the first external system (Figure1).

**As per claim 20** same as claim arguments above and Shear teaches:

: a first gathering component in communication with the first connection component, the first gathering component configured to receive external data and transmit the external data to the first connection component and at least one first external file in communication with the first gathering component, the at least one first external file configured to provide the external data to the first gathering component (figure 8, messaging system, 36).

**As per claim 21** same as claim arguments above and Shear teaches:

a first delivery component in communication with the first connection component, the first delivery component configured to receive data from the first connection component and transmit the data at least one first external file in communication with the first delivery component, the at least one first external file configured to receive the data from the first delivery component (data interchange system, figure 1, ref.no. 10).

**As per claim 22** same as claim arguments above and Dant teaches:

further comprising a second external system in communication with the second database system (figure 1).

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**As per claim 23** same as claim arguments above and Shear teaches:

wherein the second database system further comprises a second connection component in communication with the second database and the second external system (page, 3, lines page 6, lines 17-20, transform message from a first format to a second format and page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 24** same as claim arguments above and Shear teaches:

a second gathering component in communication with the second connection component, the second gathering component configured to receive external data and transmit the external data to the second connection component; and at least one second external file in communication with the second gathering component, the at least one second external file configured to provide the external data to the second gathering component (figure 8, messaging system, 36) .

**As per claim 25** same as claim arguments above and Shear teaches:

a second delivery component in communication with the second connection component, the second delivery component configured to receive data from the second connection component and transmit the data and at least one second external file in communication

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with the second delivery component, the at least one second external file configured to receive the data from the second delivery component (data interchange system, figure 1, ref.no. 10).

**As per claim 26** same as claim arguments above and Shear teaches:

a first transmission tracker file in communication with the first server, the first transmission tracker file configured to receive the first information that could not be transmitted out of the first database system and a first transmission time tracking component in communication with the first transmission tracker file, the first transmission time tracking component configured to track a period of time that the first information could not be transmitted, the time tracking component further configured to transmit a message to an administrator after a predefined period of time (external gateway agent figure 5).

**As per claim 27** same as claim arguments above and Shear teaches:

a first application tracker file in communication with the first server, the first application tracker file configured to receive information that could not be applied to the first database and a first application time tracking component in communication with the first application tracker file, the first application time tracking component configured to track a period of time that the information could not be applied, the time tracking component further configured to transmit a message to an administrator after a predefined period of

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time(external gateway agent figure 5).

**As per claim 28** same as claim arguments above and Shear teaches:

a second transmission tracker file in communication with the second server, the second transmission tracker file configured to receive second information that could not be transmitted out of the second database system and a second transmission time tracking component in communication with the second transmission tracker file, the second transmission time tracking component configured to track a period of time that the second information could not be transmitted, the second time tracking component further configured to transmit a message to an administrator after a predefined period of time(external gateway agent figure 5).

**As per claim 29** same as claim arguments above and Shear teaches:

an second application tracker file in communication with the second server, the second application tracker file configured to receive information that could not be applied to the second database and a second application time tracking component in communication with the second application tracker file, the second application time tracking component configured to track a period of time that the information could not be applied, the second application time tracking component further configured to transmit a message to an administrator after a predefined period of time(external gateway agent figure 5).

**Claims 30-31, 46-49, 51-58** are rejected based on the same rationale as claims 1-29.

### **Contact Information**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Susan Rayyan

December 7, 2007

  
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